

January 23, 2010



U.S. Department  
of Transportation

East Building, PHH – 30  
1200 New Jersey Avenue, Southeast  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 12383  
(FOURTH REVISION)

EXPIRATION DATE: September 30, 2013

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Sealift Inc.  
Oyster Bay, NY
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the stowage of closed steel freight containers of certain class 1 explosives, in the cargo hold adjacent to the machinery space, at a distance of less than three meters from the forward bulkhead of the machinery space. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.116(e)(3) in that the cargo hold containing explosives is adjacent to the forward bulkhead of the machinery space at a distance less than three meters.

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5. This special permit is based on the application of Sealift, Inc. dated September 11, 2009 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Class 1 explosives	1.1, 1.2, 1.3, 1.5	As Appropriate	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The provisions of this special permit apply only to Class 1 materials when in closed freight containers and may not be used for the carriage of break-bulk cargo or cargo in open freight containers.

b. OPERATIONAL CONTROLS - When partial cargoes are loaded with Class 1 material, the Class 1 material must be loaded as far as practical from the machinery space bulkhead.

8. SPECIAL PROVISIONS: None as a requirement of this special permit.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.

10. MODAL REQUIREMENTS:

a. This special permit applies only to the vessels M/V "CAPT STEVEN L BENNETT" and M/V "MAJ BERNARD F FISHER" while they are operating under charter to the United States Navy Military Sealift Command.

b. The vessel's hold ventilation system must be maintained in the environmental or climate-controlled (temperature and humidity) mode.

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c. A current copy of this special permit must be carried on-board each vessel when operating under the terms of this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of

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this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie  
Acting Associate Administrator for Hazardous Materials Safety  
Address all inquiries to: Associate Administrator for Hazardous  
Materials Safety, Pipeline and Hazardous Material Safety  
Administration, U.S. Department of Transportation, East Building  
PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C.  
20590.

Copies of this special permit may be obtained by accessing the  
Hazardous Materials Safety Homepage at  
[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm).  
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